

RESOLUTION NO. 20110825-030

WHEREAS, the City Council of the City of Austin has found that public necessity requires the City of Austin to acquire certain real property interests for public purposes as set out below; and

WHEREAS, the City of Austin has attempted to purchase those real property interests but has been unable to agree with the owners on the value of the property interest, or the damages, if any; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Attorney, or other authorized designee, is hereby authorized and directed to file, or cause to be filed, a suit in eminent domain on behalf of the City of Austin against the owners now having, or who may acquire, an interest in the real property interests necessary to the City, described and located below, for the public purposes set out below, and to take whatever other action may be deemed appropriate to effect the necessary acquisitions.

BE IT FURTHER RESOLVED:

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

Owners: Trafalgar I, L.P., a Texas limited partnership

Project: Harris Branch Interceptor Lower A Project

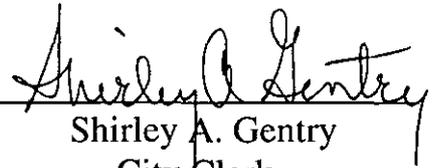
Public Purpose: the permanent wastewater line easement described in the attached Exhibit "A" is necessary to install, operate, maintain, repair, replace, and upgrade permanent wastewater lines and appurtenances, for the purpose of providing sanitary sewer services to the public.

Location: Located off Gregg Manor Road, several lots north of Parmer Lane at the dead-end of Hill Lane and one lot west of SH-130 in Austin, Travis County, Texas 78653

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: August 25, 2011

ATTEST:


Shirley A. Gentry
City Clerk

Field Notes for 4661.07WE

BEING 2.010 ACRES OF LAND (87,547 S.F.), MORE OR LESS, OUT OF AND A PART OF THE MARIQUITA CASTRO SURVEY NO. 50, ABSTRACT NO. 160 AND THE JOSIAH WILBARGER SURVEY NO. 42, ABSTRACT NO. 794, IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THE 269.567 ACRE TRACT OF LAND CONVEYED TO TRAFALGAR I, L P. BY WARRANTY DEED WITH VENDOR'S LIEN EXECUTED ON JUNE 30, 2000, FILED FOR RECORD ON JUNE 30, 2000 RECORDED IN DOCUMENT 2000102360 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 2.010 ACRES OF LAND (87,547 S.F.) BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

BEGINNING at a calculated point in a southwesterly line of said 269.567 acre Trafalgar I, L P tract and a northeasterly line of Tract Four, a 168.86 acre tract of land, conveyed with undivided fifty percent interest to J.P. Morgan Chase Bank, as Trustee of the Frederic Clarke Morse, Jr. Exempt Family Trust, by deed recorded in Document 2004113210 of the Official Public Records of Travis County, Texas, for the Point of Beginning and most westerly corner of the herein described tract of land having Texas State Plane (Texas Central Zone (4203), NAD 83, U. S. Feet, Combined Scale Factor of 0.9999216) values of N=10106027.13, E=3159708.69, from which, a 1/2 inch iron rod found in the southeasterly line of a 78.516 acre tract of land conveyed to Eton Meadows, L.P. by deed recorded in Document 2003006187 of the Official Public Records of Travis County, Texas, at the most westerly corner of said 269.567 acre Trafalgar I, L P tract and the most northerly corner of said Tract Four, bears North 61°36'35" West, a distance of 1097.09 feet;

1) THENCE, North 47°32'20" East, a distance of 497.83 feet, leaving a southwesterly line of said 269.567 acre Trafalgar I, L P tract and a northeasterly line of said Tract Four, crossing said 269.567 acre Trafalgar I, L P tract, to a calculated point for the most northerly corner of the herein described tract of land;

2) THENCE, South 69°50'38" East, a distance of 716.47 feet, to a calculated point for a corner;

3) THENCE, North 65°43'03" East, a distance of 463.59 feet, to a calculated point for a corner;

4) THENCE, South 24°16'57" East, a distance of 123.69 feet, to a calculated point in the agreed common boundary line of said 269.567 acre Trafalgar I, L P tract and of said Tract Four, said line of boundary agreement being described in Volume 3094, Page 1971 of the Deed Records of Travis County, Texas, for the most easterly corner of the herein described tract of land, from which, a 1/2 inch iron pipe found in the northwesterly line of Tract Two, a 25.00 acre tract of land conveyed to W.C. Alff, and wife, Eunice O. Alff by deed recorded in Volume 5389, Pg. 1806, at a corner of said 269.567 acre Trafalgar I, L P tract and a corner of said Tract Four, bears North 43°32'01" East, a distance of 0.89 feet, North 85°04'02" East, a distance of 13.06 feet, South 74°47'59" East, a distance of 37.17 feet, South 68°40'59" East, a distance of 93.20 feet, South 30°55'59" East, a distance of 24.40 feet, South 28°37'01" West, a distance of 50.00 feet, South 05°40'59" East, a distance of 16.40 feet, South 56°29'59" East, a distance of 32.90 feet, North 84°35'01" East, a distance of 37.80 feet, North 66°57'00" East, a distance of 40.11 feet, South 75°17'59" East, a distance of 39.30 feet, South 63°37'59" East, a distance of 36.60 feet, South 80°08'59" East, a distance of 104.70 feet, South 50°25'59" East, a distance of 48.60 feet, South 40°34'59" East, a distance of 32.40 feet, South 48°29'59" East, a distance of 60.80 feet, North 82°51'01" East, a distance of 53.30 feet, South 50°33'59" East, a distance of 52.20 feet, South 14°40'59" East, a distance of 21.30 feet, South 16°29'01" West, a distance of 35.50 feet, South 41°52'01" West, a distance of 42.80 feet, South 47°42'01" West, a distance of 68.20 feet, South 44°12'01" West, a distance of 134.20 feet, South 02°37'01" West, a distance of 67.30 feet, South 26°22'01" West, a distance of 78.30 feet, South 51°24'59" East, a distance of 31.20 feet and South 13°23'01" West, a distance of 22.80 feet;

5) THENCE, South 43°32'01" West, a distance of 17.87 feet, with the line of said boundary agreement, to a calculated point for a corner;

6) THENCE, South 22°15'01" West, a distance of 22.30 feet, to a calculated point for a corner;

7) THENCE, South 08°06'01" West, a distance of 32.24 feet, to a calculated point for a corner, from which, a 1/2 inch iron rod found in the line of said boundary agreement, bears South 08°06'01" West, a distance of 2.43 feet, South 01°29'01" West, a distance of 99.91 feet, South 18°44'01" West, a distance of 55.53 feet, South 38°24'59" West, a distance of 65.40 feet, South 10°41'01" West, a distance of 70.68 feet, South 15°11'59" East, a distance of 29.81 feet, South 02°26'01" West, a distance of 76.55 feet, South 39°54'01" West, a distance of 85.31 feet, South 57°00'01" West, a distance of 33.00 feet, South 71°26'01" West, a distance of 73.03 feet, South 55°42'01" West, a distance of 64.00 feet, South 29°12'01" West, a distance of 50.65 feet, South 52°25'00" West, a distance of 29.01 feet, North 69°29'59" West, a distance of 93.06 feet, North 38°24'59" West, a distance of 69.58 feet, North 46°56'59" West, a distance of 94.72 feet, North 40°04'01" East, a distance of 42.26 feet, North 14°19'01" East, a distance of 26.65 feet, North 61°57'59" West, a distance of 159.36 feet, North 46°19'59" West, a distance of 121.71 feet, North 42°31'59" West, a distance of 129.68 feet and North 45°32'59" West, a distance of 25.83 feet;

8) THENCE, North 24°16'57" West, a distance of 123.01 feet, leaving the line of said boundary agreement, to a calculated point for a corner;

9) THENCE, South 65°43'03" West, a distance of 434.02 feet, to a calculated point for a corner;

10) THENCE, North 69°50'38" West, a distance of 706.48 feet, to a calculated point for a corner;

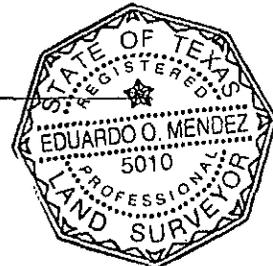
11) THENCE, South 47°32'20" West, a distance of 450.06 feet, to a calculated point in a southwesterly line of said 269.567 acre Trafalgar I, L P tract and a northeasterly line of said Tract Four, for the most southerly corner of the herein described tract of land, from which, a 1/2 inch iron rod found at the point of termination of said line of boundary agreement, a southerly corner of said 269.567 acre Trafalgar I, L P tract and a corner of said Tract Four bears South 61°36'35" East, a distance of 35.05 feet and South 61°12'35" East, a distance of 543.60 feet;

12) THENCE, North 61°36'35" West, a distance of 52.93 feet, with a southwesterly line of said 269.567 acre Trafalgar I, L P tract and a northeasterly line of said Tract Four, to the Point of Beginning and containing an area of 2.010 acres of land, more or less.

I hereby declare that this survey was made on the ground, under my supervision, and that it substantially complies with the current Texas Society of Professional Surveyors standards.

Eduardo O. Mendez
Eduardo O. Mendez
Registered Professional Land Surveyor 5010

9/16/10
Date



MWM DesignGroup
305 East Huntland Drive, Suite 200
Austin, Texas, 78752 (512) 453-0767

Bearing Basis: The bearings and coordinates shown are based on Texas State Plane Coordinate System datum, Texas Central Zone (4203), NAD 83 based on Landmark Control Points LS#1-LS#8 provided by Landmark Surveying, Inc. For surface coordinates, divide grid coordinates shown by combined scale factor of 0.9999216.

TCAD No.: 02425001080000
CITY GRID No.: R30

FIELD NOTES REVIEWED

By: [Signature] Date 9/20/10

Engineering Support Section
Department of Public Works
and Transportation



SCALE: 1"=200'

ETON MEADOWS, L.P.
(78.516 AC)
DOC 2003006187
OPRTCT

(S33°12'27"W)
(46.29')
S30°25'06"E
46.05'

(S30°11'55"W)
(355.25')
(N29°58'E)

TRAFALGAR I, L P
(269.567 AC)
DOC 2000102360
OPRTCT

- LEGEND**
- △ CALCULATED POINT
 - 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
 - ⊙ 60D NAIL FOUND IN
FENCE POST
 - () RECORD DATA
 - OPRTCT OFFICIAL PUBLIC RECORDS
TRAVIS CO, TX
 - RRPTCT REAL PROPERTY RECORDS
TRAVIS CO, TX
 - PrTCT PROBATE RECORDS
TRAVIS CO, TX
 - ▨▨ AREA OF EASEMENT
 - POB POINT OF BEGINNING
SEE SHEET 6 OF 6
FOR LINE/CURVE TABLE

SHEET 3 OF 6
SHEET 4 OF 6

MARIQUITA CASTRO
SURVEY NO. 50
ABSTRACT NO. 160

J.P. MORGAN CHASE BANK, AS TRUSTEE OF THE
FREDERIC CLARKE MORSE, JR. EXEMPT FAMILY TRUST
(UNDIVIDED FIFTY PERCENT INTEREST OF
TRACT FOUR-168.86 AC)
DOC. 2004113210, OPRTCT

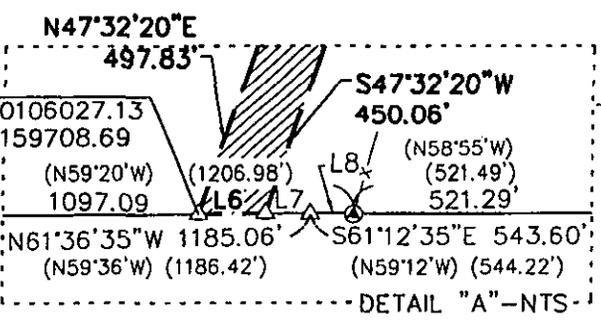
FREDERIC CLARKE MORSE, JR.
CAUSE NO. 46,390, VOL. 814, PG. 807, PrTCT

4661.07WE
2.010 AC (87,547 S.F.)

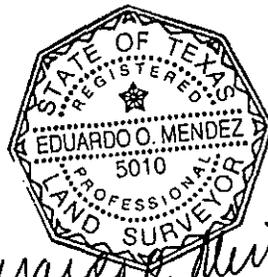
(1185.06')
(1186.42')
(1206.98')
POB

SEE DETAIL "A"

(S32°32'18"W)
(285.58')
(24.49.96')
(S29°47'09"W)
N27°02'12"E



THE BEARINGS AND COORDINATES SHOWN ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM DATUM, TEXAS CENTRAL ZONE (4203), NAD 83 BASED ON LANDMARK CONTROL POINTS LS#1-LS#8 PROVIDED BY LANDMARK SURVEYING, INC. FOR SURFACE COORDINATES, DIVIDE GRID COORDINATES SHOWN BY COMBINED SCALE FACTOR OF 0.9999216.



Eduardo O. Mendez
9/16/10



305 East Huntland Drive
Suite 200
Austin, Texas 78752
p: 512.453.0767
f: 512.453.1734

SKETCH TO ACCOMPANY
FIELD NOTES

DATE: 18 SEP 10
JOB NO: 37315A
FILE: 4681.07WE

TRAVIS COUNTY, TEXAS

3
3 OF 6

MARIQUITA CASTRO
SURVEY NO. 50
ABSTRACT NO. 160

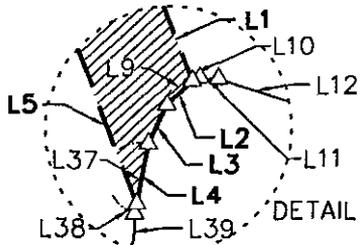


SCALE: 1"=200'

LEGEND

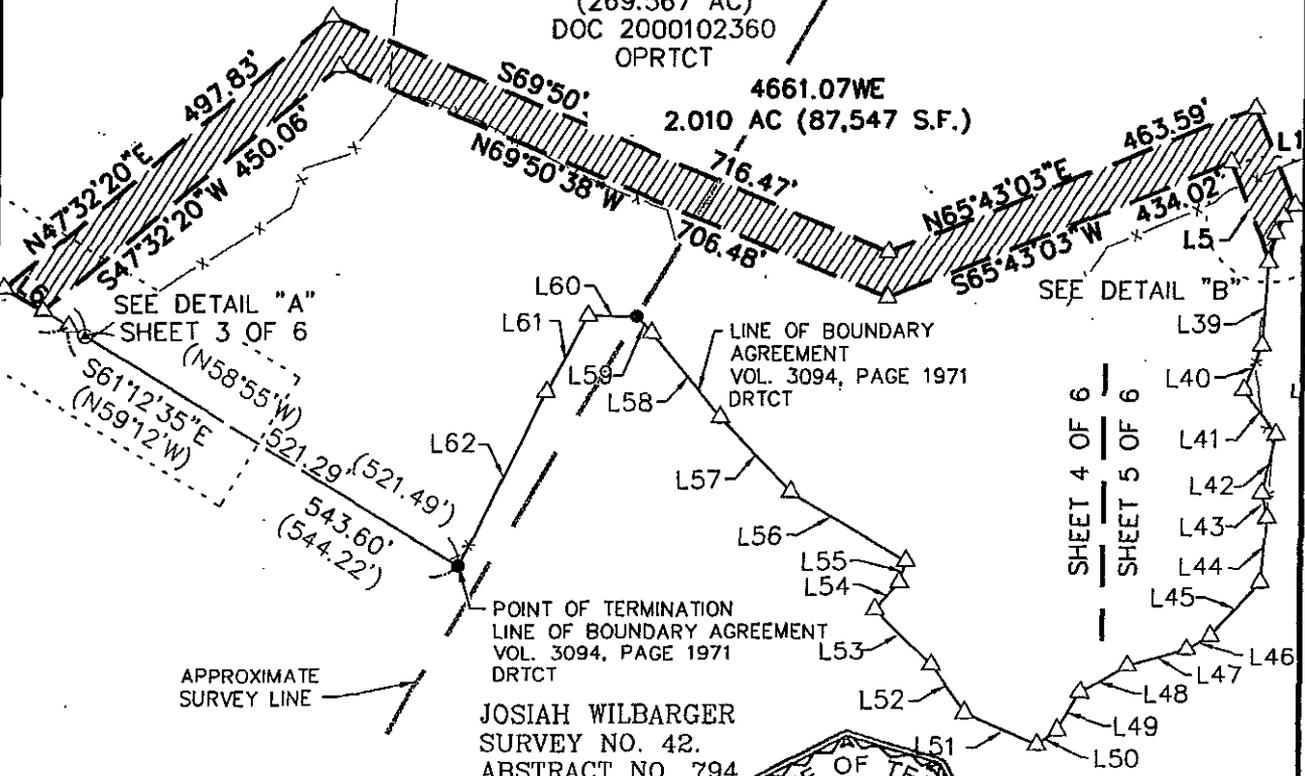
- △ CALCULATED POINT
- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
- ⊙ 60D NAIL FOUND IN FENCE POST
- () RECORD DATA
- OPRTCT OFFICIAL PUBLIC RECORDS
TRAVIS CO, TX
- RPRCTCT REAL PROPERTY RECORDS
TRAVIS CO, TX
- PrRTCT PROBATE RECORDS
TRAVIS CO, TX
- ▨ AREA OF EASEMENT
- POB POINT OF BEGINNING
SEE SHEET 6 OF 6
FOR LINE/CURVE TABLE

SHEET 3 OF 6
SHEET 4 OF 6



TRAFALGAR I, L P
(269.567 AC)
DOC 2000102360
OPRTCT

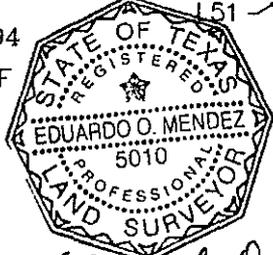
4661.07WE
2.010 AC (87,547 S.F.)



JOSIAH WILBARGER
SURVEY NO. 42.
ABSTRACT NO. 794

J.P. MORGAN CHASE BANK, AS TRUSTEE OF
THE FREDERIC CLARKE MORSE, JR.
EXEMPT FAMILY TRUST
(UNDIVIDED FIFTY PERCENT INTEREST
OF TRACT FOUR-168.86 AC)
DOC. 2004113210, OPRTCT

FREDERIC CLARKE MORSE, JR.
CAUSE NO. 46,390, VOL. 814, PG. 807, PrRTCT



Eduardo O. Mendez
9/16/10



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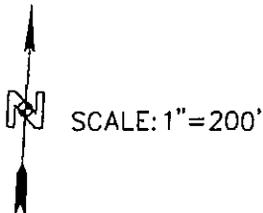
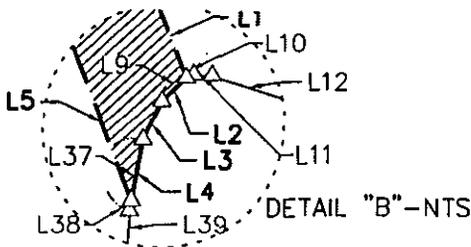
SKETCH TO ACCOMPANY
FIELD NOTES

TRAVIS COUNTY, TEXAS

DATE: 16 SEP 10
JOB NO: 37315A
FILE: 4681.07WE

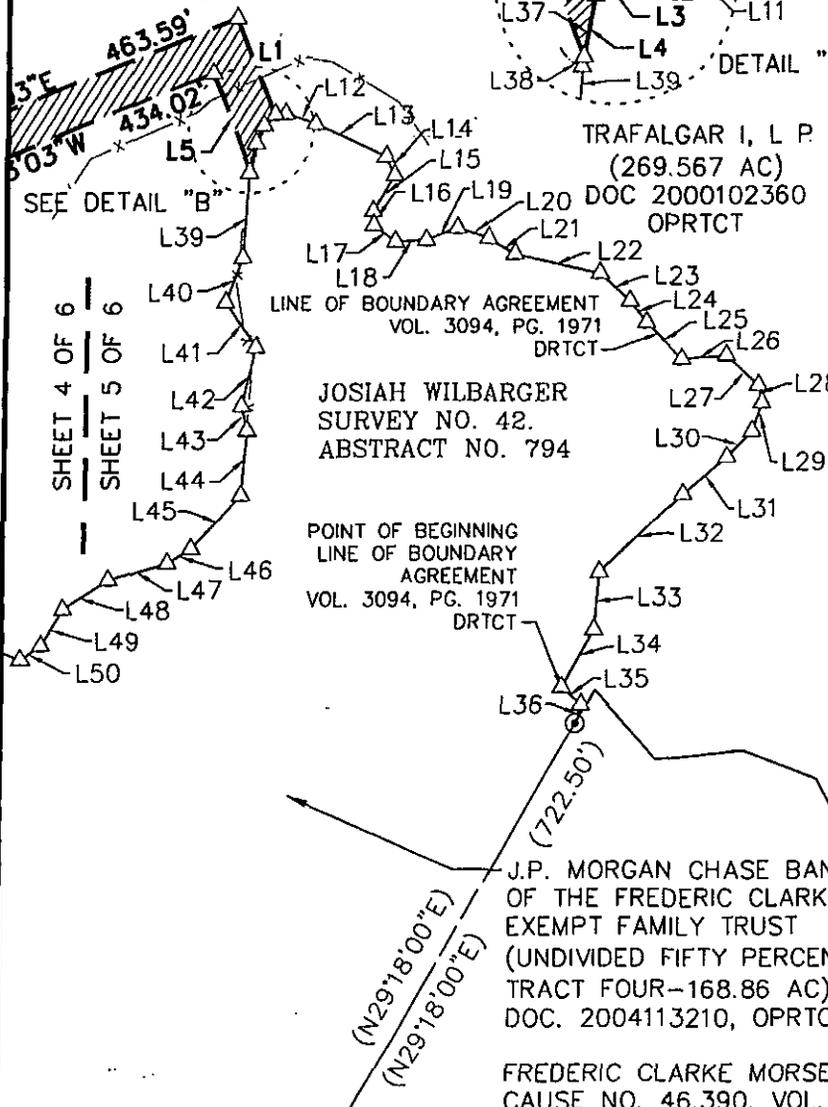
4
4 OF 6

4661.07WE
2.010 AC (87,547 S.F.)



LEGEND

- △ CALCULATED POINT
- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD W/CAP FOUND
(UNLESS OTHERWISE NOTED)
- IRFC ○ 5/8" IRON ROD WITH
MWM CAP SET
- () RECORD DATA
- OPRTCT OFFICIAL PUBLIC RECORDS
TRAVIS CO, TX
- RPRTCT REAL PROPERTY RECORDS
TRAVIS CO, TX
- PrRTCT PROBATE RECORDS
TRAVIS CO, TX
- ▨ AREA OF EASEMENT
- POB POINT OF BEGINNING
SEE SHEET 6 OF 6
FOR LINE/CURVE TABLE



SHEET 4 OF 6
SHEET 5 OF 6

TRAFALGAR I, L P.
(269.567 AC)
DOC 2000102360
OPRTCT

JOSIAH WILBARGER
SURVEY NO. 42.
ABSTRACT NO. 794

POINT OF BEGINNING
LINE OF BOUNDARY
AGREEMENT
VOL. 3094, PG. 1971
DRTCT

J.P. MORGAN CHASE BANK, AS TRUSTEE
OF THE FREDERIC CLARKE MORSE, JR.
EXEMPT FAMILY TRUST
(UNDIVIDED FIFTY PERCENT INTEREST OF
TRACT FOUR-168.86 AC)
DOC. 2004113210, OPRTCT

FREDERIC CLARKE MORSE, JR.
CAUSE NO. 46,390, VOL. 814, PG. 807, PrRTCT

W.C. ALFF, AND WIFE,
EUNICE O. ALFF
REMAINDER OF
TRACT TWO (25.00 AC)
VOL. 5389, PG. 1806
DRTCT

RECORD DATA:
COMMITMENT FOR TITLE INSURANCE
GF NO. ATA-70-02-AT10002936
ALAMO TITLE INSURANCE COMPANY
STONEBRIDGE PLAZA II
9600 N. MOPAC EXPRESSWAY
SUITE 125
AUSTIN, TX 78759-6507

THE BEARINGS AND COORDINATES SHOWN ARE BASED ON TEXAS
STATE PLANE COORDINATE SYSTEM DATUM, TEXAS CENTRAL ZONE
(4203), NAD 83 BASED ON LANDMARK CONTROL POINTS
LS#1-LS#8 PROVIDED BY LANDMARK SURVEYING, INC. FOR
SURFACE COORDINATES, DIVIDE GRID COORDINATES SHOWN BY
COMBINED SCALE FACTOR OF 0.9999216.



Eduardo O. Mendez
9/16/10

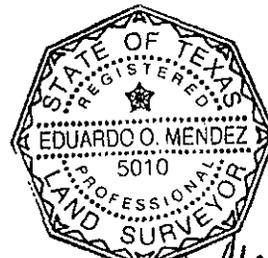
"TXDOT"
STATE HIGHWAY 130
(R.O.W. VARIES)

	305 East Huntland Drive Suite 200 Austin, Texas 78752 p: 512.453.0767 f: 512.453.1734	SKETCH TO ACCOMPANY FIELD NOTES	DATE: 15 SEP 10 JOB NO: 37315A FILE: 4661.07WE
	TRAVIS COUNTY, TEXAS		5 3 OF 6

LINE	BEARING	LENGTH
L1	S24°16'57"E	123.69'
L2	S43°32'01"W	17.87'
L3	S22°15'01"W	22.30'
(L3)	(N24°33'E)	(22.30')
L4	S08°06'01"W	32.24'
L5	N24°16'57"W	123.01'
L6	N61°36'35"W	52.93'
L7	S61°36'35"E	35.05'
L8	S61°17'05"E	22.31'
L9	N43°32'01"E	18.76'
(L9)	(N45°50'E)	(18.76')
L10	N43°32'01"E	0.89'
(L10)	(S44°02'E)	(121.71')
L11	N85°04'02"E	13.06'
(L11)	(N87°22'E)	(13.06')
L12	S74°47'59"E	37.17'
(L12)	(S72°30'E)	(37.17')
L13	S68°40'59"E	93.20'
(L13)	(S66°23'E)	(93.20')
L14	S30°55'59"E	24.40'
(L14)	(S28°38'E)	(24.40')
L15	S28°37'01"W	50.00'
(L15)	(S30°55'W)	(50.00')
L16	S5°40'59"E	16.40'
(L16)	(S03°23'E)	(16.40')
L17	S56°29'59"E	32.90'
(L17)	(S54°12'E)	(32.90')
L18	N84°35'01"E	37.80'
(L18)	(N86°53'E)	(37.80')
L19	N66°57'00"E	40.11'
(L19)	(N69°15'E)	(40.11')
L20	S75°17'59"E	39.30'
(L20)	(S73°00'E)	(39.30')
L21	S63°37'59"E	36.60'
(L21)	(S61°20'E)	(36.60')
L22	S80°08'59"E	104.70'
(L22)	(S77°51'E)	(104.70')
L23	S50°25'59"E	48.60'
(L23)	(S48°08'E)	(48.60')
L24	S40°34'59"E	32.40'
(L24)	(S38°17'E)	(32.40')
L25	S48°29'59"E	60.80'
(L25)	(S46°12'E)	(60.80')
L26	N82°51'01"E	53.30'
(L26)	(N85°09'E)	(53.30')
L27	S50°33'59"E	52.20'
(L27)	(S48°16'E)	(52.20')

LINE	BEARING	LENGTH
L28	S14°40'59"E	21.30'
(L28)	(S12°23'E)	(21.30')
L29	S16°29'01"W	35.50'
(L29)	(S18°47'W)	(35.50')
L30	S41°52'01"W	42.80'
(L30)	(S44°10'W)	(42.80')
L31	S47°42'01"W	68.20'
(L31)	(S50°00'W)	(68.20')
L32	S44°12'01"W	134.20'
(L32)	(S46°30'W)	(134.20')
L33	S2°37'01"W	67.30'
(L33)	(S4°55'W)	(67.30')
L34	S26°22'01"W	78.30'
(L34)	(S28°40'W)	(78.30')
L35	S51°24'59"E	31.20'
(L35)	(S49°07'E)	(31.20')
L36	S13°23'01"W	22.80'
(L36)	(S15°41'W)	(22.80')
L37	N08°06'01"E	34.67'
(L37)	(N10°24'E)	(34.67')
L38	S08°06'01"W	2.43'
L39	S01°29'01"W	99.91'
(L39)	(N03°47'E)	(99.91')
L40	S18°44'01"W	55.53'
(L40)	(N21°02'E)	(55.53')
L41	S38°24'59"W	65.40'
(L41)	(N36°07'W)	(65.40')
L42	S10°41'01"W	70.68'
(L42)	(N12°59'E)	(70.68')
L43	S15°11'59"E	29.81'
(L43)	(N12°54'W)	(29.81')
L44	S2°26'01"W	76.55'
(L44)	(N04°44'E)	(76.55')
L45	S39°54'01"W	85.31'
(L45)	(N42°12'E)	(85.31')
L46	S57°00'01"W	33.00'
(L46)	(N59°18'E)	(33.00')
L47	S71°26'01"W	73.03'
(L47)	(N73°44'E)	(73.03')
L48	S55°42'01"W	64.00'
(L48)	(N58°00'E)	(64.00')
L49	S29°12'01"W	50.65'
(L49)	(N31°30'E)	(50.65')
L50	S52°25'00"W	29.01'
(L50)	(N54°43'E)	(29.01')
L51	N69°29'59"W	93.06'
(L51)	(S67°12'E)	(93.06')

LINE	BEARING	LENGTH
L52	N38°24'59"W	69.58'
(L52)	(S36°07'E)	(69.58')
L53	N46°56'59"W	94.72'
(L53)	(S44°39'E)	(94.72')
L54	N40°04'01"E	42.26'
(L54)	(S42°22'W)	(42.26')
L55	N14°19'01"E	26.65'
(L55)	(S16°37'W)	(26.65')
L56	N61°57'59"W	159.36'
(L56)	(S59°40'E)	(159.36')
L57	N46°19'59"W	121.71'
(L57)	(S44°02'E)	(121.71')
L58	N42°31'59"W	129.68'
(L58)	(S40°14'E)	(129.68')
L59	N45°32'59"W	25.83'
(L59)	(S43°15'E)	(25.83')
L60	S88°45'20"W	57.58'
(L60)	(S89°06'E)	(57.54')
L61	S25°37'20"W	101.49'
(L61)	(N27°46'E)	(101.41')
L62	S23°32'20"W	228.53'
(L62)	(N25°41'E)	(228.53')



Eduardo O. Mendez
9/16/10



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SKETCH TO ACCOMPANY
FIELD NOTES

TRAVIS COUNTY, TEXAS

DATE: 15 SEP 10
JOB NO: 97315A
FILE: 4851.07WE

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